

HALL COUNTY BOARD OF SUPERVISORS MEETING APRIL 6, 2004

The Hall County Board of Supervisors met April 6, 2004, by published call in the county board meeting room, 121 South Pine, Grand Island.

CALL TO ORDER - The meeting was called to order by Chairman Pamela Lancaster.

INVOCATION - Invocation was given by Pamela Lancaster.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was given in unison. Scott Arnold, Jim Eriksen, Dick Hartman, Bob Humiston, Bud Jeffries, Pamela Lancaster, and Robert Rye. Also present were County Attorney Jerry Janulewicz and representatives from the *Grand Island Independent* and KRGI.

CONSENT AGENDA ITEMS –Eriksen made a motion and Jeffries seconded to approve the following by consent agenda:

1. Accept and place on file the minutes from the March 23 meeting.
2. 5d Approve and authorize the clerk to pay the quarterly diesel fuel claim
3. 11 Approve Resolution #04-0013 for Child Abuse Prevention Month
4. 12 Accept and place on file the Hall County Treasurer Tax Sale Report
5. 23 Accept and place on file the office reports from the Hall County Sheriff, Hall & Howard County Juvenile Services
6. 24 Accept and place on file the Hall County Treasurer's Miscellaneous Receipts
7. 25 Accept and place on file communications as received.

Diane Muhlbach was presented Blue Ribbons to the board member in observance of Child Abuse Prevention Month. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

OFFICE REPORT HALL COUNTY SHERIFF FEBRUARY 2004

TOTAL FEES MILEAGE & MISC	\$12,495.63
COPIES	101.30
HANDGUN APPLICATIONS	80.00
TITLE INSPECTIONS	2,270.00

OFFICE REPORT HALL COUNTY JUVENILE SERVICES MARCH 2004

JUVENILE REFERRALS	36 JUVENILES
JUVENILE OFFENDERS	3 JUVENILE
JUVENILE HOUSE ARREST	0 JUVENILES
TOTAL UNDER SUPERVISION	287 JUVENILES
FEES COLLECTED	\$1,310.00

OFFICE REPORT HOWARD COUNTY JUVENILE SERVICES MARCH 2004

JUVENILE REFERRALS	1 JUVENILES
TOTAL JUVENILE ENROLLEES	18 JUVENILES
FEES COLLECTED FOR MONTH	\$0.00
TOTAL FEES COLLECTED FISCAL YEAR	\$ 450.00

**APRIL CHILD ABUSE
PROCLAMATION
#04 - 13**

WHEREAS, a total of 1,434 child abuse and neglect cases were investigated and a total of 251 cases were substantiated through the Grand Island Regional Nebraska Health and Human Services System and law enforcement in Hall, Hamilton, Merrick and Howard Counties in 2003; and

WHEREAS, the effects of child abuse are felt by whole communities and must be address by the entire community; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, religious organizations, law enforcement agencies and the business community; and

WHEREAS, all citizens should become more aware of child abuse and its prevention within the community and become involved in supporting parents to ensure their children are valued, safe and healthy.

NOW THEREFORE, BE IT RESOLVED by the Hall County Board of Supervisors that April is

CHILD ABUSE PREVENTION MONTH

In Hall County and that we call upon our citizens to accept their responsibility for reporting and preventing child abuse and to wear a BLUE RIBBON to show that it shouldn't hurt to be a child. Remembering that, every child should be valued, safe and healthy and deserves a BLUE RIBBON.

PASSED AND ADOPTED THIS 6th DAY OF April 2004.

Resolution moved by Supervisor _____

Seconded by Supervisor _____

VOTE:

Scott Arnold	For____; Against____; Abstained____; Not Present____.
Richard Hartman	For____; Against____; Abstained____; Not Present____.
William P. Jeffries	For____; Against____; Abstained____; Not Present____.
Pamela Lancaster	For____; Against____; Abstained____; Not Present____.
Jim Eriksen	For____; Against____; Abstained____; Not Present____.
Bob Rye	For____; Against____; Abstained____; Not Present____.
Bob Humiston	For____; Against____; Abstained____; Not Present____.

HALL COUNTY BOARD OF SUPERVISORS

Pamela Lancaster, Chairman of the Board of Supervisors

Marla J. Conley Hall County Clerk

Chairman Lancaster introduced Jake Ripp the GIS technician. Mr. Ripp spoke briefly to the board.

1b RURAL AED PLACEMENT PROGRAM – PROJECT HEART SAVE – Sheriff Jerry Watson was present and introduced Chad Bluske to explain Project Heart Save. He stated that they have received a grant to purchase AED units to place in the community and they are going to place one in the correction center. These are public access defibrillator units. These units have a voice prompt to assist the user in the event of an emergency. Their goal is to make these units as available as a fire extinguisher.

COUNTY ATTORNEY – EXECUTIVE SESSION CONTRACT NEGOTIATIONS
VISITORS PROMOTION – Arnold made a motion and Humiston seconded to go into executive session. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

9:17 a.m. executive session

9:30 a.m. Jeffries made a motion and Arnold seconded to go out of executive session. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

2b DISCUSS AND TAKE ACTION ON AGREEMENT WITH GRAND ISLAND AREA CHAMBER OF COMMERCE – County Attorney Jerry Janulewicz stated that the agreement was included in the board member's packets. This provides that the county will lease the office space for two years at \$11.00 a square foot. He will make one correction regarding the meeting rooms.

Arnold made a motion and Hartman seconded to authorize the chair to sign the agreement with the Chamber of Commerce regarding the Convention Visitors Bureau. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

9:30 a.m. PUBLIC HEARING CONDITIONAL USE PERMIT FOR WERNER CONSTRUCTION – Arnold made a motion and Eriksen seconded to open the public hearing. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

County Attorney Jerry Janulewicz was present. As a prelude to the public hearing he stated that Hall County issued a conditional use permit to Emil Schaaf for a pumping operation and now that property is within the city zoning jurisdiction. The neighbors have issues regarding the operation of the sand pit and the possible expansion. They met two weeks ago and it was a productive meeting. They addressed the days and hours of operation, placing mufflers on the equipment, posting signs directing traffic and addressed the issue of the back-up alarms and burms on the property. But, there is still one area of contention concerning the millings that are stored on the property. This will be discussed during the public hearing and wait until the following meeting to resolve the issues.

Chairman Lancaster called for public participation

Pat O'Hara – 5387 South Engleman Road attend the meeting and it was suggested to give Werner Construction until the end of the year to remove the milling. He stated that they broke the original resolution and expressed concern that this is now a major pumping operation. He does not want to see any additional millings.

Bill Carson, 5575 South Engleman Road he stated that he lives across the road and he did not have a problem with a recreational lake but does not want an industrial business. He also stressed the concerns that Cedar Hollow School has.

Richard Reah – He works for Werner Construction and stated that the millings are a stable product and if they have to haul all of the millings away this will cause additional traffic. Hartman questioned if there was any middle ground on this subject and if additional time to haul the millings away would help. Mr. Reah replied that they may initiate legal action.

Arnold expressed concern that the traffic could increase to haul away the aggregate but this was in violation of the original permit. It was discussed to not put a deadline on hauling the aggregate out and not to add any more millings.

Chairman Lancaster called for additional comments

Jack O'Hara 5137 South Engleman Road expressed questioned if this was going to be used for a black-top plant. Jeffries stated that if there is an asphalt plant they have to have a special conditional use permit to do this and they are only issued for the length of the job. Discussion was held as to whether this needs to come back to the board in two weeks. Hartman questioned if there is agreement on the length of time to remove the asphalt? There are two issues to address the current pile of millings that are to be moved and the issue of placing additional millings on the property. Mr. O'Hara stated that it is the consensus that they can live with the pile that is there but they do not want any other millings. This was to be sand and gravel pumping operation.

Discussion was held on the role that the city would play concerning the permit that the county would issue. County Attorney Jerry Janulewicz stated that this would need to go to the city so the conditions would be uniform on all of the property.

Chairman Lancaster called for additional comments and no one responded.

Jeffries made a motion and Eriksen seconded to close the public hearing. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Janulewicz stated that they will need to meet with the city to work out a solution so the same restrictions will apply. Craig Lewis with the city building department stated that he cannot speak for the city council but it would be better to have similar agreements that all parties agree on.

Arnold made a motion and Hartman seconded to direct the County Attorney to work with the City Attorney on the terms of the conditional use permit so the terms will be uniform. No addition millings are to be added and there will not be a deadline on the removal.

Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

9:45 PUBLIC HEARING CONDITIONAL USE PERMIT FOR MID NEBRASKA

AGGLEGATES INC. – Jeffries made a motion and Arnold seconded to open the public hearing for Mid Nebraska. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Jeffries stated that the committee met concerning this request and they requested the sand and gravel pumping and also the asphalt recycling. Chad Nabity stated that the committee considered only the sand and gravel operation and if they want other purposes they will need to come back to the board for additional permits.

Chairman Lancaster called for public comment.

Ron Follmer with Mid-Nebraska Aggregate was present and stated that he would agree to the sand and gravel pumping operation only.

Larry Opp 8462 South 80th Road lives next to the area and the only access road to this property is past his house. He presented a list of people that are opposed to the issuance of the permit. He also stated that he had talked to a representative from the Whooping Crane Trust and they are also opposed. He expressed concern on the dust and water drainage in the area. He questioned what road they were going to use to access the property.

Pam Anderson Executive Director of Crane Meadows was present and expressed concern on the noise, dust and possible odors from an asphalt plant. They have outdoor education classes and trails that would be interrupted by this operation

Eriksen questioned if the committee has a recommendation concerning the request for the permit. Regional Planning Director Chad Nabity was present and he stated that the conditions are listed in the permit and they have also incorporated the 300 foot buffer zone restriction along any public right-of-way.

Jim question have a committee recommendations he has not seen it no pumping with 300 feet of a public right of way Chad this has been instituted in the city resolutions can pump sand Jim wants to be aware of this condition

Larry Opp stated that there are better places to obtain the sand and gravel. He also expressed concern that there may be a housing development after the pumping is completed.

Anna Wood requested to see the list of people that are opposed. The interstate runs past the Crane Meadows Nature Center and it does not disturb the center besides they are on the other side of the interstate.

Jeanne Ann Spiehs, has a home and farms 220 acres in this area. She questioned if there was an environmental survey done. Who oversees that the company stays in compliance. She also expressed concerns on the water flow and possible contaminates. The road that would be used would need to be paved to help with the dust. She

encouraged the board members to make a personal inspection of the area and to protect the integrity and heritage of the family farms.

Leo Opp from Lincoln, Nebraska, is one of the owners and stated that the interstate changed this land even though it is primarily agricultural. He wants to make the best use of the land.

Anna Wood stated that this was poor farm ground and her tenant could not use it. She wants to use it for the pumping operation.

Chairman Lancaster called for public participation.

Hartman stated that there are some problems that need to be worked out and find some middle ground. It may take more time to work this through.

Arnold questioned why Mid-Nebraska asked for the asphalt and recycling operations upfront and if these additional permits would be necessary. He pointed out that there are concerns on the drainage and the condition of the road.

Jeffries stated that there are a lot of unanswered questions and he suggested addressing this again in one month. The committee and representatives need to hold additional meetings to address the concerns.

Chad Nabity requested that Mid-Nebraska provide a full site plan that is within the restrictions that the permit proposed and bring it to the committee. He suggested holding another public hearing to address these issues.

Chairman Lancaster called for public participation.

Tom Atkins 6319 South Alda Road expressed concerns on the low land flooding in the area. When gravel is pumped you bring up the water level. He also stated that this is a rural area and once the pumping is done would a housing development be started.

Susan Kleeb also expressed concern on the ground water and if this would change the water flow.

Lancaster this can be referred to the conditional use committee and they can come back with a recommendation.

Eriksen stated that if the drainage in the area is a concern Chad's suggestion of an overall plan would help address these concerns. Hartman stated that there has been a drainage problem in the past and they need to be sure what affects this operation would have on the area.

10:55 a.m. Hartman made a motion and Jeffries seconded to close the public hearing. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Arnold made a motion and Hartman seconded to refer this to the conditional use committee for additional study and bring it back in 30 days. It may be necessary to hold

another public hearing at that time. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Chairman Lancaster called for a break.

Returned to session.

COUNTY ATTORNEY – 2C DISCUSSION AND ACTION ON RESOLUTION FOR ROAD IMPROVEMENT DISTRICT – County Attorney Jerry Janulewicz stated that Road Improvement District #1 was formed in 2000. This provided for the paving of a Campbell Avenue in Amick Acres, Doniphan, Nebraska. In order to complete the paving assessments a public hearing will need to be held. It will need to be advertised for two consecutive weeks and the public hearing will be held May 4th to consider and approve the levies.

Jeffries made a motion and Eriksen seconded to approve Resolution #04-0012 to set the public hearing for Road Improvement District #1. This will be advertised April 20th and April 27 with the public hearing set for May 4, 2004 at 10:00 a.m. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

RESOLUTION NO. 04- 0012
A RESOLUTION OF THE COUNTY OF HALL, NEBRASKA, FIXING THE
TIME
AND PLACE OF HEARING ON THE
RURAL ROAD IMPROVEMENT DISTRICT NO. 2000-1
ASSESSMENT ROLL; PROVIDING FOR PUBLICATION AND MAILING
OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Rural Road Improvement District No. 2000-1 (“R.R.I.D. No. 2000-1”) of the County of Hall, Nebraska (the “County”) was created by Resolution No. 00-0065, adopted by the County Board of Supervisors (the “Board of Supervisors”) on June 13, 2000; and

WHEREAS, in accordance with Resolution No. 00-0065, the improvements within R.R.I.D. No. 2000-1 have been completed, and the engineer for R.R.I.D. No. 2000-1 and the Rural Road Improvement District Advisory Board has submitted a report showing in detail the total cost and expenses of the improvements, the dollar amount thereof payable from assessments, and a form of assessment roll showing the proposed assessments chargeable to each lot or parcel of property specially benefited within R.R.I.D. No. 2000-1.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY BOARD OF
SUPERVISORS OF THE COUNTY OF HALL, NEBRASKA, as follows:

SECTION 1: The form of proposed assessment roll for R.R.I.D. No. 2000-1 prepared by the Engineer and approved by the Rural Road Improvement District Advisory Board, shall be filed in the Office of the County Clerk, where it shall be available for public inspection during normal business hours.

SECTION 2: On the 4TH day of MAY, 2004, at the hour of 10:00 a.m., at the regular meeting of the Board of Supervisors of Hall County, Nebraska, in the County Board Room, County Administration Building, 121 South Pine Street, Grand Island, Nebraska is hereby fixed as the date, time, and place when and where the Board of Supervisors will meet in open session as the Board of Adjustment and Equalization for the purpose of considering the Engineer's report on the proposed assessment roll, hearing any objections to the assessment roll by the owners of property within R.R.I.D. No. 2000-1, and equalizing and levying the special assessments upon the property in the district specially benefited by the improvements.

SECTION 3: The County Clerk shall give notice of the hearing specified in Section 2 above by publication of notice, substantially in the form set forth in Exhibit "A" which is annexed hereto and by reference made a part of this resolution, in the official newspaper of the County on the same day of each week for two consecutive weeks immediately prior to the meeting in a newspaper of general circulation in the county. The County Clerk shall also, not less than fifteen (15) days before the date fixed for hearing objections to the assessment roll, mail notice of the hearing, substantially in the form set forth in Exhibit "B" which is annexed hereto and by reference made a part of this resolution, to each owner of property within the limits of R.R.I.D. No. 2000-1. The mailed notice shall state the amount of the individual assessment as shown on the preliminary assessment roll.

SECTION 5: This resolution shall take effect and be in force from and after its passage.

Resolution moved by Supervisor Bud Jeffries.

Seconded by Supervisor Jim Eriksen.

Vote:

Supervisor Arnold:	For <u>x</u> ; Against ____; Abstained ____; Not Present ____.
Supervisor Eriksen:	For <u>x</u> ; Against ____; Abstained ____; Not Present ____.
Supervisor Hartman:	For <u>x</u> ; Against ____; Abstained ____; Not Present ____.
Supervisor Humiston:	For <u>x</u> ; Against ____; Abstained ____; Not Present ____.
Supervisor Jeffries:	For <u>x</u> ; Against ____; Abstained ____; Not Present ____.
Supervisor Lancaster	For <u>x</u> ; Against ____; Abstained ____; Not Present ____.
Supervisor Rye:	For <u>x</u> ; Against ____; Abstained ____; Not Present ____.

PASSED AND ADOPTED THIS 6th DAY OF APRIL, 2004.

HALL COUNTY BOARD OF
SUPERVISORS

—
Pamela Lancaster, Chairman of the Board
of Supervisors

Marla J. Conley, Hall County Clerk

Prepared by:
Jerom E. Janulewicz
Hall County Attorney

2d DISCUSSION ON APOINTMENT OF MEMBER TO THE HALL COUNTY HOSPITAL AUTHORITY – County Attorney Jerry Janulewicz stated that the board needs to address appointing member to the board. County Clerk Marla Conley stated that she has had communications with a firm concerning the hospital authority board. There were appointments made to this board in 1997 and they serve for a six year term but they need to be appointed again. The county board has a list of volunteers to serve on these appointed boards. They will advertise for interested persons to submit an application to the board assistant and come back in 30 days for the appointments to the board.

Chairman Lancaster called for public participation and no one responded.

5a DISCUSS AND APPROVE FEDERAL AND URBAN BOUNDARY UPDATE MAPS – County Surveyor Dan Hostler was present and stated that these urban boundary update maps are sent by the Nebraska State Department of Roads and these are updated from the last census numbers. He is requesting the County Board to authorize the chair to sign the maps.

Jeffries made a motion and Arnold seconded to authorize the Chair to sign the maps. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

5b COMMITTEE RECOMMENDATION ON PURCHASE OF DUMP TRUCK WITH TRADE – Jeffries stated that the committee met and they recommend to accept the low bid from Nebraska Truck Center. Jeffries made a motion and Arnold seconded to accept the low bid for a 2005 Sterling Ford LT85 with a Galion Box for \$63,480.00 with a trade in of the 1982 IHC truck. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

5c DISCUSS AND APPROVE RELOCATION OF BUILDING DEPARTMENT OFFICE – This matter was referred to the long-range planning committee for relocation of the building inspector. An inspector was hired for the public works department for the bridge inspection and it will be necessary to provide a computer and office space for him. Jeffries expressed concern on moving a full time person for a seasonal part-time employee. It had been suggested to move him to the Administration Building but Jeffries expressed concern on who would answer the questions when he was not in the office. Arnold stated that he felt this needed to be discussed more. Jeffries requested to refer this back to the long-range planning committee and come back in two weeks.

8 DISCUSSION AND ACTION ON CAFETERIA PLAN BIDS – The bid opening for the 125 cafeteria plan was held and the bids were referred to the selection committee for presentations and review. Eriksen made a motion and Hartman seconded to accept the bid from North Central Marketing as the administrator of the 125 plan. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Eriksen stated that there are three different cost involved and the county would cover the annual fees for the plan and the fees for the plan documents but if there would be fees for the stored value cards this expense may be charged to the employees. There will be additional work on a plan document and this can come back in two weeks

10 CONNIE HULTINE METH HOT SPOTS FUNDING AUTHORIZE CHAIR TO SIGN GRANT AWARD – Drug Court Coordinator Connie Hultine was present requesting the chair to sign the grant award. This grant application was submitted 5 months ago requesting dollars to assist with the treatment cost. The grant was awarded in the amount of \$42,500.00 and the Chair needs to sign the grant. Jeffries made a motion and Arnold seconded to authorize the chair to sign the grant award. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

7 COMMITTEE RECOMMENDATION REGARDING CONDITIONAL USE PERMIT FOR WERNER CONSTRUCTION – Chairman Lancaster stated that this item was already discussed and it will be brought back in 30 days.

8 DISCUSS DAYS AND HOURS OF OPERATION AT HALL COUNTY PARK
9 DISCUSS AND APPROVE RESOLUIOTN ESTABLISHED REVISED RULES AND REGULATIONS AT HALL COUNTY PARK – Jeffries stated that since the park has been redone they are still having problems with the sprinkler system and some of the sodding has not been completed, so it will be necessary to set the opening date as May 15,

2004. The necessary changes are set up in the resolution. He also stated that it is now necessary to charge sales tax on the parking permits for the park. The sales tax and the lodging tax will now be 85 cents. Tent camping will be \$5.00 and the RV camping will be \$10.00.

Jeffries made a motion and Eriksen seconded to approve Resolution #04-0014. Establishing the revised rules and regulations for the George H. Clayton Hall County Park. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

16 COMMENCE AUDIT OF BI WEEKLY PAY CLAIMS – Hartman made a motion and Eriksen seconded to approve the bi weekly pay claims. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Hartman stated that he had a call concerning dumping in the county road ditches and if people are caught they are to be fined. He would like to see an ad published in the paper informing people of the possible fines. Discussion was held and it is difficult to prosecute people because of the time and cost involved. This is one on the agenda so not action can be taken at this time.

Discussion was held and the meeting will be recessed until 1:00 p.m.

1:00 p.m. Returned to regular session.

CATHY LANGE NEBRASKA PROPERTY TAX ADMINISTRATOR GENERAL
OVERVIEW OF PROTEST PROCESS – Lancaster stated that the County Board asked Ms. Lange to review the protest process and address some of the concerns. She stated that the county wants to tax fairly and if they error it will be on the side of the taxpayer. Hall County uses the referees to help with the protest process.

Ms. Lange stated that it is important to have the assessor involved in every step of the process, if a different recommendation is necessary the assessor is able to prove how that value was established. It is important that the referees receive all of the taxpayer and county information so they can make an informed decision. One of the most difficult things to accept is the subjectivity of the entire process. It is very important to have the assessor, referees, taxpayer and county board have a complete record. She asked if the referee's were present at the final hearing and Lancaster stated that they were not.

County Assessor Jan Pelland reviewed the protest process that the county follows. She also noted that she provides a list of documents that the taxpayer can use for the process.

Ms. Lange stated that it appears that the information is given back and forth between the parties involved. She stated that the larger counties also use the referee system and Hall County seems to have a good communication process between all of the parties. She did express concern on the fact that the same company was used to do the work and also assist with the protest process. Jeffries questioned if hiring a licensed appraiser could help the process. Ms Lange suggested hiring a contract appraiser to help with the work for the assessor then using a different group for the referee hearings. She stressed the importance of having the evidence that supports the decision the board makes.

Jeffries expressed concern on the issue of the high-end sales of homes vs. the cost of building them. Ms. Lange stated that this exact issue has gone to the Nebraska Supreme Court. The market value is the most probable price for the sale of a piece of property. Sometime an arms length transaction may not be the correct sale price. She pointed out that the assessor's value is correct until proven wrong. It is the responsibility of the taxpayer to prove the value is right or wrong. She stated that it is difficult to address this because the values are conservative and it is hard to push the value up. She suggested gathering information on these homes and addressing it next year. She

suggested looking at some of the state wide sales and look at using a depreciation process.

Ms. Lange reminded the board member of 77-1504 which allows the County Board to issue a notice if a property is under or over valued. She also noted that 77-1507 allows the board to send notice if a property is missed and they know what the cost should be. She advised the board to address the high-end sales as a project for next year and look at the total array of properties in Hall County and look outside of Hall County to help substantiate the high-end sales.

She stated that she holds training for appraisers and referees in Douglas and Lancaster County and Hall County could also attend this type of training. Lancaster thanked Ms. Lange for coming to Hall County.

EXECUTIVE SESSION UNION NEGOTIATIONS – Jeffries made a motion and Rye seconded to go into executive session. Arnold, Eriksen, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Hartman was absent. Motion carried.

3:45 p.m. Humiston made a motion and Jeffries second to go out of executive session. Arnold, Eriksen, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Hartman was absent. Motion carried.

BOARD ASSISTANT'S REPORT – No report

BOARD MEMBER'S REPORTS – No reports

Meeting adjourned at 3:54 p.m. The next meeting will be April, 2004.

Marla J. Conley Hall County Clerk